IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1636 OF 2005

Manohar Sitaram Tikhe ...Applicant

Versus

State of Maharashtra ...Respondent

.....

Mr.N.N.Gawankar with Arfan A.E.A. Sait

for Applicant.

Mr.K.V.Saste, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

MARCH 14, 2005.

P.C.

1. Heard Counsel for the parties. Perused the record.

2. The incident in question took place on 9th December 2004, on account of dispute between the wives of deceased and the Applicant, and the deceased died in Hospital on 22nd December 2004. Accepting the prosecution case as it is, it is

obvious that the Applicant assaulted the deceased only with fist blows. The post-mortem report indicates cause of death as haemoperitoneum with septicamia in an alleged case of blunt impacts over abdomen.

3. As the investigation is complete and charge-sheet has been filed, the Applicant is released on bail on the following conditions:

(a) The Applicant is directed to be released on bail in connection with C.R.No.I-20 of 2005 registered with Vishnu Nagar Police Station, Dombivli, on executing personal bond in the sum of Rs.10,000/- (Rupees Ten Thousand) with two local sureties in the like amount.

(b) The Applicant shall report to the concerned Investigating Officer once in a fortnight, on Saturday between 10.00 a.m. and 2.00 p.m.

(c) The Applicant shall not influence the prosecution witnesses or tamper with the

prosecution evidence in any manner whatsoever.

(d) The Applicant shall extend full co-operation to the Trial Court for early disposal of the trial and if the Trial Court is of the opinion that the Applicant is responsible for the delay of the trial, that fact be recorded in the Roznama, which will be a ground for cancellation of bail.

4. Application disposed of on the above terms.

A.M.KHANWILKAR, J.